



February 26, 2003

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## HOUSE BILL No. 1153

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DIGEST OF HB 1153 (Updated February 24, 2003 2:42 PM - DI 14)

**Citations Affected:** IC 7.1-3.

**Synopsis:** Beer sales. Allows a microbrewer to sell beer by the glass at the brewery. Allows a brewer to sell beer for carryout on Sunday.

**Effective:** July 1, 2003.

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**Hasler, Ruppel, Lytle, Ayres**

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January 7, 2003, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.  
February 25, 2003, reported — Do Pass.

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HB 1153—LS 7066/DI 71+



February 26, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1153

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 7.1-3-2-7, AS AMENDED BY P.L.177-1999,  
2       SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2003]: Sec. 7. The holder of a brewer's permit or an  
4       out-of-state brewer holding either a primary source of supply permit or  
5       an out-of-state brewer's permit may do the following:

6               (1) Manufacture beer.

7               (2) Place beer in containers or bottles.

8               (3) Transport beer.

9               (4) Sell and deliver beer to a person holding a beer wholesaler's  
10              permit issued under IC 7.1-3-3.

11              (5) If the brewer's brewery manufactures not more than twenty  
12              thousand (20,000) barrels of beer in a calendar year, do the  
13              following:

14                      (A) Sell and deliver beer to a person holding a retailer or a  
15                      dealer permit under this title.

16                      (B) Be the proprietor of a restaurant.

17                      (C) Hold a beer retailer's permit, a wine retailer's permit, or a

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- 1 liquor retailer's permit for a restaurant established under clause  
 2 (B).  
 3 (D) Transfer beer directly from the brewery to the restaurant  
 4 by means of:  
 5 (i) bulk containers; or  
 6 (ii) a continuous flow system.  
 7 (E) Install a window between the brewery and an adjacent  
 8 restaurant that allows the public and the permittee to view both  
 9 premises.  
 10 (F) Install a doorway or other opening between the brewery  
 11 and an adjacent restaurant that provides the public and the  
 12 permittee with access to both premises.  
 13 **(G) Sell the brewery's beer by the glass for consumption on**  
 14 **the premises.**  
 15 (6) If the brewer's brewery manufactures more than twenty  
 16 thousand (20,000) barrels of beer in a calendar year, own a  
 17 portion of the corporate stock of another brewery that:  
 18 (A) is located in the same county as the brewer's brewery;  
 19 (B) manufactures less than twenty thousand (20,000) barrels  
 20 of beer in a calendar year; and  
 21 (C) is the proprietor of a restaurant that operates under  
 22 subdivision (5).  
 23 (7) Sell and deliver beer to a consumer at the plant of the brewer  
 24 or at the residence of the consumer. The delivery to a consumer  
 25 shall be made only in a quantity at any one (1) time of not more  
 26 than one-half (1/2) barrel, but the beer may be contained in bottles  
 27 or other permissible containers.  
 28 (8) Provide complimentary samples of beer that are:  
 29 (A) produced by the brewer; and  
 30 (B) offered to consumers for consumption on the brewer's  
 31 premises.  
 32 (9) Own a portion of the corporate stock of a sports corporation  
 33 that:  
 34 (A) manages a minor league baseball stadium located in the  
 35 same county as the brewer's brewery; and  
 36 (B) holds a beer retailer's permit, a wine retailer's permit, or a  
 37 liquor retailer's permit for a restaurant located in that stadium.  
 38 (10) For beer described in IC 7.1-1-2-3(a)(4):  
 39 (A) may allow transportation to and consumption of the beer  
 40 on the licensed premises; and  
 41 (B) may not sell, offer to sell, or allow sale of the beer on the  
 42 licensed premises.

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- 1 (11) Sell and deliver beer to a consumer at the plant of the
- 2 brewer for carryout on Sunday in accordance with
- 3 subdivision (7).

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1153, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LYTLE, Chair

Committee Vote: yeas 11, nays 3.

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